

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SANDRA LANDAU,

Plaintiff,

Case No: 19-10654
Hon.

-vs-

TARGET CORPORATION,

Defendant.

NOTICE OF REMOVAL

TO: The United States District Court
Eastern District of Michigan
Southern Division

NOW COME the Defendants, TARGET CORPORATION, a Minnesota Corporation, by and through its attorneys, the Law Office of Mark D. Willmarth, and hereby removes this action and gives notice to plaintiff of the removal of this action from the Circuit Court of the State of Michigan, County of Oakland, to the United States District Court for the Eastern District of Michigan, Southern Division, and respectfully shows unto this Court as follows:

1. That TARGET CORPORATION is the only defendant in a civil action brought against it in the Circuit Court for the County of Oakland, State of Michigan, entitled "SANDRA LANDAU, Plaintiff, vs. TARGET CORPORATION, Defendant," Case No. 2019-170791-NO, and that attached hereto as Exhibit A are Summons and Complaint, Demand for Jury Trial and

constitute all process and pleadings served by and upon the parties in such action; and that no further proceedings have been had therein.

2. That the above-captioned action is a civil action over which this Court has original jurisdiction under the provisions of Title 28, United States Code, Section 1332(a) and is one which may be removed to this Court by the petitioner, defendant herein, pursuant to the provisions of Title 28, United States Code, Section 1441(a), in that it is a civil action wherein the plaintiff claims damages in an amount in excess of \$75,000.00, exclusive of interest, costs and attorney fees, by virtue of Plaintiff's Demand in excess of \$75,000.00 in the Complaint for the alleged injuries to plaintiff's right shoulder, right neck and right jaw, with alleged attendant Trans Mandibular Joint Syndrome (TMJ), and other parts of Plaintiff, SANDRA LANDAU's body, together with expense of medical care and treatment, loss of income and earning capacity and economic loss, past, present and future, which she claims arises from the incident in this case. Paragraphs 12, 18 and the Ad Damnum Clauses, pages 5 and 7, of said Complaint.

3. That further, this matter may be removed to federal court on the basis of diversity of citizenship under Title 28, United States Code, Section 1332(a)(1) in that plaintiff, SANDRA LANDAU, is a resident and citizen of the City of Northville, County of Oakland and State of Michigan, and defendant, TARGET

CORPORATION, is a Minnesota corporation with its principal place of business in Minneapolis, Minnesota and is not a citizen of the State of Michigan in that it is neither incorporated in, nor has its principal place of business in, the State of Michigan.

4. That this notice of removal is filed in a timely and proper manner inasmuch as this notice of removal is filed within thirty (30) days of receipt of the Summons and Complaint by TARGET CORPORATION on February 22, 2019. 28 USC 1446(b)(1).

WHEREFORE, defendant gives notice that the above action now pending against it in the Circuit Court of the County of Oakland, State of Michigan is removed therefrom to this Court.

Respectfully submitted,

/s/ Mark D. Willmarth

BY: MARK D. WILLMARTH (P27967)
Attorneys for Defendant
503 S. Saginaw Street, Ste. 1000
Flint, MI 48502
(810) 600-4239
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DATED: March 5, 2019

STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND

SANDRA LANDAU,

Plaintiff,

-vs-

TARGET CORPORATION

Defendant.

Case No: 2019-170791-NO
Hon. Nanci J. Grant

MATTHEW NDONWI (P82601)
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NOTICE TO STATE COURT AND COUNSEL OF REMOVAL

MATTHEW NDONWI (P82601)
Attorney for Plaintiff

CLERK OF THE COURT
Oakland County Circuit Court

PLEASE TAKE NOTICE that the above-captioned cause has been removed from the Oakland County Circuit Court, State of Michigan, to the United States District Court for the Eastern District of Michigan, Southern Division, and that attached hereto is a copy of the Notice of Removal which was duly filed on March 5, 2019 in said Court. The case has been assigned to Federal Judge _____ and is designated as Civil Action No. 19-10654.

Respectfully submitted,

/s/ Mark D. Willmarth

BY: _____

MARK D. WILLMARTH (P27967)
Attorneys for Defendant

Dated: March 5, 2019

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SANDRA LANDAU,

Plaintiff,

Case No: 19-10654
Hon.

-vs-

TARGET CORPORATION,

Defendant.

PROOF OF SERVICE

Mark D. Willmarth, being first duly sworn, deposes and says that on the 5th day of March, 2019, he served **NOTICE OF REMOVAL, NOTICE TO STATE COURT AND COUNSEL OF INTEREST OF REMOVAL and PROOF OF SERVICE** upon:

MATTHEW NDONWI (P82601)
VEN R. JOHNSON (P39219)
Johnson Law, PLC
535 Griswold, Ste. 2632
Detroit, MI 48226

CLERK OF THE COURT
Oakland County Circuit Court
1200 N. Telegraph Rd.
Pontiac, MI 48341

By the Oakland County Circuit Court e-filing and service system.

Respectfully submitted,

/s/ Mark D. Willmarth

By:
MARK D. WILLMARTH (P27967)
Attorney for Defendant
503 S. Saginaw Street, Ste. 1000
Flint, MI 48502
(810) 600-4239

Dated: March 5, 2019